

ATTORNEY DOCKET NO. 10002593-1

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Confirmation No.: 9781

Examiner: Heather D. Gibbs

Group Art Unit: 2622

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Hans A. Lichtfuss

Application No.: 09/748,345

Filing Date: Dec. 22, 2000

Title: DISPLAY DEVICE HAVING IMAGE ACQUISITION CAPABILITIES AND METHOD OF USE THEREOF

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on Sept. 23, 2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

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() The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

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(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number 15711 273-8300 on Nov. 4, 2005

Number of pages: 35

Typed Name: Angela Troussel

Signature: Angela Troussel

Respectfully submitted,

Hans A. Lichtfuss

By

Michael A. Goodwin, Esq.

Attorney/Agent for Applicant(s)

Reg. No. 32,697

Date: Nov. 4, 2005

Telephone No. 12021 208-0888

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND
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In Re Application of:)
Hans A. Lichtfuss)
Serial No.: 09/748,345) Group Art Unit: 2622
Filed: December 22, 2000) Examiner: Heather D. Gibbs
For: DISPLAY DEVICE HAVING) Atty Dkt. 10002593-1
IMAGE ACQUISITION)
CAPABILITIES AND)
METHOD OF USE)
THEREOF)

APPEAL BRIEF

To: Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Appeal Brief is submitted in response to the final rejection of the claims mailed June 3, 2005. A Notice of Appeal was filed on September 23, 2005.

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This brief contains items under the following headings as required by 37 CFR §41.37 and MPEP §1206:

- I. Real Party In Interest
- II. Related Appeals, Interferences and Judicial Proceedings
- III. Status of Claims
- IV. Status of Amendments
- V. Summary of Claimed Subject Matter
- VI. Grounds of Rejection to be Reviewed on Appeal
- VII. Argument
- VIII. Claims Appendix
- IX. Evidence Appendix
- X. Related Proceedings Appendix

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(I) REAL PARTY IN INTEREST

The real party in interest in the above-referenced patent application is Hewlett-Packard Development Company, LP, having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A.

(II) RELATED APPEALS, INTERFERENCES AND JUDICIAL PROCEEDINGS

There are no related appeals, interferences or judicial proceedings currently known to appellants, appellants' legal representatives or the assignee, which will directly affect, or be directly affected by, or have a bearing on, the Board's decision.

(III) STATUS OF CLAIMS

Claims 1-26 were filed with the application. In an amendment filed January 14, 2004, claims 3, 7-19 and 21-24 were canceled and new claims 27-38 were added. In an amendment filed January 13, 2005, claims 20, 25-28, 30, 35 and 36 were canceled and new claims 39-54 were added. Accordingly, claims 1, 2, 4-6, 29, 31-34 and 37-54 are currently pending in the application, all of which stand rejected. The rejection of claims 1, 2, 4-6, 29, 31-34 and 37-54 is appealed.

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(IV) STATUS OF AMENDMENTS

Appellant filed a response after final rejection on July 28, 2005. This response did not amend the application but instead requested reconsideration and presented arguments in support thereof. In an Advisory Action mailed September 9, 2005, the Examiner indicated that appellant's response had been considered but did not alter any of the claim rejections presented in the final Office action.

(V) SUMMARY OF THE CLAIMED SUBJECT MATTER

In general terms, an electronic image display device (e.g., 10 Fig. 1) is disclosed. The image display device may, for example, take the form of a digital picture frame device. The display device also includes a scanning mechanism (e.g., 60, Fig. 2) so that an object can be scanned without the need for a separate scanner.

The following provides a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings by reference characters, as required by 37 CFR § 41.37(c)(1)(v). Each element of the claims is identified by a corresponding reference to the specification and drawings where applicable. Note that the citation to passages in the specification

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and drawings for each claim element does not imply that the limitations from the specification and drawings should be read into the corresponding claim element.

1. A device (10) comprising:
a frame (12) [Fig. 1, page 5, lines 28-30];
a lid (30) movably attached to said frame (12), said lid (30) being movable between a closed position (Fig. 1) and an open position (Fig. 2) [Page 5, lines 30-33];
a display (32) mounted to said lid (30) [Fig. 1; page 5, lines 34-37];
a photosensor array (64) movably mounted within said frame (12) [Fig. 2; page 7, lines 13-24]; and
wherein said display (32) is visible when said lid (30) is in said closed position [Fig. 1; page 5, lines 34-37].

29. A system comprising:
a frame (12) [Fig. 1, page 5, lines 28-30];
a lid (30) movably attached to said frame (12), said lid (30) being movable between a closed position and an open position [Figs. 1-2; page 5, lines 30-33];
a display (32) mounted to said lid (30) [Fig. 1; page 5, lines 34-37];
a photosensor array (64) movably mounted within said frame

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(12) [Fig. 2; page 7, lines 13-24]; and
an object to be scanned by said photosensor array (64);
wherein at least a portion of said lid (30) is directly adjacent
at least a portion of said object when said lid (30) is in said closed
position [Figs. 1-2].

34. A method comprising:

providing a device (10) comprising a frame (12), a
photosensor array (64) movably mounted within said frame, a lid
(30) movably attached to said frame (12) and a display (32)
mounted to said lid (30), wherein said lid (30) is movable between
a closed position (Fig. 1) and an open position (Fig. 2) [Page 5,
lines 28-37; page 7, lines 13-24];

moving said lid (30) to said closed position such that at least
a portion of said lid (30) is positioned directly adjacent at least a
portion of an object [Figs. 1-2; page 10, lines 19-22]; and

scanning said object with said photosensor array (64) while
said lid (30) is in said closed position and said at least a portion of
said lid (30) is positioned directly adjacent said at least a portion of
said object by moving said photosensor array (64) within said
frame (12) [Page 10, lines 25-30].

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(VI) GROUNDS OF REJECTION TO BE REVIEWED ON
APPEAL

- A. Claims 1, 2, 4-6, 29, 31-34, 37-40, 44, 45, 49 and 50 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sawanobori (U.S. Patent No. 6,486,980).

- B. Claims 41-43, 46-48 and 51-54 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sawanobori (U.S. Patent No. 6,486,980) in view of Reece (U.S. Patent No. 6,567,190).

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(VII) ARGUMENT

Argument re Issue A

Claims 1, 2, 4-6, 29, 31-34, 37-40, 44, 45, 49 and 50 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sawanobori (U.S. 6,486,980). Appellant respectfully asserts, for at least the reasons advanced below, that claims 1, 2, 4-6, 29, 31-34, 37-40, 44, 45, 49 and 50 are not anticipated by the Sawanobori reference and, thus, are not properly rejected.

Claims 1, 2, 29, 33, 34, 37, 39, 40, 44, 45, 49 and 50

Appellant's independent claim 1 is argued below. For purposes of this appeal, claims 2, 29, 33, 34, 37, 39, 40, 44, 45, 49 and 50 stand or fall with claim 1. Claims 4-6, 31, 32 and 38 do not stand or fall with claim 1 and are argued under separate headings herein.

Appellant's claim 1 recites the following:

A device comprising:
a frame;

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a lid movably attached to said frame, said lid being
movable between a closed position and an open position;
a display mounted to said lid;
**a photosensor array movably mounted within said
frame; and**
wherein said display is visible when said lid is in said
closed position.

In the Sawanobori device, an LCD unit 30 (e.g., Figs. 1-3) is
movably mounted to a body 20. The LCD unit 30 includes a
display 31. A scanner unit 40 is also movably mounted to the
body 20. Thus, Sawanobori does not disclose or suggest a lid
having a display movably mounted to a frame *and* a photosensor
array movably mounted within the frame as recited in claim 1.
Accordingly, claim 1 is not anticipated by Sawanobori.

In response to the above argument, the Examiner points out
(in paragraph 2 of the final Office action) that Sawanobori
discloses a modification in which the line sensor 41 may be moved
relative to the photographic film "F". Sawanobori discusses this
modification as follows:

In a modification, the line sensor 41 may be
intermittently conveyed along the photographic film F while
scanning the image on the photographic film F.

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(col. 3, lines 60-62)

Sawanobori does generally mention a modification in which the line sensor 41 may be moved along the photographic film. Sawanobori does not, however, explain how this modification could be achieved and, specifically, where the line sensor 41 is to be located. Appellant's claim 1 recites "a photosensor array movably mounted within said frame". The Examiner takes the position that appellant's recited "frame" reads on the Sawanobori body 20 (see, e.g., final Office action, paragraph 4). Sawanobori clearly does not disclose or suggest that the line sensor 41 be located within the body 20 in order to achieve the modification discussed above. In fact, it would appear that the Sawanobori line sensor 41 could not be placed within the body 20 since the body 20 contains the back-light unit 22 and the line sensor 41 and back-light unit 22 must be located on opposite sides of the photographic film "F".

Accordingly, even considering the Sawanobori modification pointed out by the Examiner, appellant's claim 1 is not anticipated by Sawanobori.

The Examiner states the following in the Advisory Action mailed September 9, 2005 (see the Continuation Sheet for box 11):

... Upon further review, the Examiner finds that Sawanobori

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does disclose a lid having a display movably mounted to a frame and [sic] a photosensor array movably [sic] mounted within the frame as recited in claim 1. Sawanobori shows a lid movably mounted to the frame in Figs 1-2 and Col 2 Lines 30-65. The photosensor array 41 is also movably mounted as shown in figures 2-3. In addition, please refer to Col 3 Lines 29-34. See Final Rejection dated 6/30/05.

Pointing to Figs. 1 and 2 of Sawanobori, the Examiner correctly notes that the Sawanobori lid (LCD unit 30) contains a display (31) and is movably mounted to a frame (body 20). The Examiner's assertion, however, that "Sawanobori does disclose a ... photosensor array [movably] mounted within the frame", is clearly incorrect. With reference, for example, to Figs. 2 and 3, it can be seen that the Sawanobori scanner unit 40 is movably attached to the body 20 (note how the scanner unit 40 is pivoted between a closed position in Fig. 2 to an open position in Fig. 3 via hinges). The scanner unit 40, however, is clearly not "mounted within the" body 20 as asserted by the Examiner. This is in contrast to appellant's claim 1 which recites **"a photosensor array movably mounted within said frame"**.

Accordingly, claim 1 is not anticipated by Sawanobori.

Claims 2, 39 and 40 are allowable at least as ultimately depending from allowable base claim 1.

Independent claim 29 recites, for example, "a photosensor

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array movably mounted within said frame". Accordingly, claim 29 is allowable for at least the reasons advanced above with respect to claim 1.

Claims 33, 44 and 45 are allowable at least as ultimately depending from allowable base claim 29.

Independent claim 34 recites, for example, "a photosensor array movably mounted within said frame" and "moving said photosensor array within said frame". Accordingly, claim 34 is allowable for at least the reasons advanced above with respect to claim 1.

Claims 37, 49 and 50 are allowable at least as ultimately depending from allowable base claim 34.

Claim 4

Neither Sawanobori nor any of the other references of record, considered either alone or in proper combination, disclose or suggest the device of claim 1 and further wherein:

said device is a digital picture frame device.

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The Examiner states the following regarding claim 4 on page 3 of the final Office action:

Considering claim 4, Sawanobori teaches wherein said device is a digital picture frame device (Col 4 Lines 13-16).

The portion of the Sawanobori reference pointed to by the Examiner is reproduced as follows:

rotatable in a direction C around the light source 62a, such that light from the light source 62a is reflected toward the line sensor 41 or toward the opposite light source 62b, parallel to the top surface 20a. An arcuate reflector 64 is

This portion of the reference discusses a reflector 63 (see, e.g., Figs. 5-6). There is no discussion, or even suggestion, of a digital picture frame device as recited in appellant's claim 4. Accordingly, the Examiner's rejection of claim 4 is improper.

Claims 5 and 31

Appellant's dependent claim 5 is argued below. For purposes of this appeal, dependent claim 31 stands or falls with claim 5.

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Neither Sawanobori nor any of the other references of record, considered either alone or in proper combination, disclose or suggest the device of claim 1 and further wherein:

said photosensor array is a CIS photosensor array.
(claim 5)

The Examiner states the following regarding claim 5 on page 3 of the final Office action:

Regarding claims 5-6, 31-33, it is inherent that a photo sensor array can/could be a CIS, CCD, or any other two dimensional array.

Thus, the Examiner takes the position that the use of a CIS or CCD array is *inherently* disclosed by Sawanobori. The Court of Appeals for the Federal Circuit has discussed the law of inherent disclosure, for example, as follows:

If the prior art reference does not expressly set forth a particular element of the claim, that reference still may anticipate if that element is "inherent" in its disclosure. **To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill."** *Continental Can Co. v. Monsanto Co.*, 948 F.2d 1264, 1268, 20 U.S.P.Q.2d 1746, 1749 (Fed. Cir.1991). "Inherency,

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however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *Id.* at 1269, 20 U.S.P.Q.2d at 1749 (quoting *In re Oelrich*, 666 F.2d 578, 581, 212 U.S.P.Q. 323, 326 (C.C.P.A. 1981).

In re Robertson, 49 USPQ2d 1949, 1950-1951 (Fed. Cir. 1999) (bold emphasis added).

The Sawanobori reference discloses a "scanner unit" 40 that includes a "line sensor" 41. Sawanobori does not, however, disclose what specific type of technology is used to form the line sensor. Accordingly, to establish inherency in the present case, the Sawanobori reference would have to make clear that a CIS type of photosensor is "*necessarily present*" in the line sensor 41 (*In re Robertson, supra.*, italics added). Sawanobori simply does not do this. The line sensor 41 of Sawanobori could be formed from any number of different technologies; the Sawanobori line sensor does not necessarily have to be a CIS type photosensor array as recited in appellant's claim 5. Accordingly, the Examiner's inherency position is in error and the rejection of claim 5 should be reversed.

Claim 31 recites the following:

The device of claim 29 wherein said photosensor array is a CIS photosensor array.

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Accordingly, claim 31 is allowable for at least the reasons advanced above with respect to claim 5.

Claims 6 and 32

Appellant's dependent claim 6 is argued below. For purposes of this appeal, dependent claim 32 stands or falls with claim 6.

Neither Sawanobori nor any of the other references of record, considered either alone or in proper combination, disclose or suggest the device of claim 1 and further wherein:

said photosensor array is a CCD photosensor array.
(claim 6)

As in the rejection of claim 5, discussed above, the Examiner here takes the position that the CCD photosensor array of claim 6 is inherently disclosed by Sawanobori. Appellant asserts that this position is in error for generally the same reasons as argued above with respect to claim 5. Simply put, the Sawanobori line sensor does not *necessarily* have to be a CCD type photosensor array as recited in appellant's claim 6. Accordingly, the use of a

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CCD type photosensor array is not inherently disclosed by
Sawanobori.

Claim 32 recites the following:

The device of claim 29 wherein said photosensor array
is a CCD photosensor array.

Accordingly, claim 32 is allowable for at least the reasons
advanced above with respect to claim 6.

Claim 38

Neither Sawanobori nor any of the other references of
record, considered either alone or in proper combination, disclose
or suggest the method of claims 34 and 37 and further wherein:

said displaying at least a portion of said image occurs when
said scanning is taking place.
(claim 38)

Although Sawanobori may disclose eventually displaying an
acquired image, Sawanobori does not disclose displaying a

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portion of the image being scanned when the scanning is taking place. The Examiner states the following regarding the rejection of claim 38 on page 4 of the final Office action:

Considering claim 38, Sawanobori teaches wherein said displaying at least a portion of said image occurs when said scanning is taking place (Col 2 Lines 54-67; Col 3 Lines 1-7).

The portions of Sawanobori referenced by the Examiner are reproduced as follows:

When the photographic film F is to be scanned, the LCD unit 30 and the image scanner unit 40 are flatly folded against the top surface 20a with the photographic film F slidably interposed therebetween, as shown in FIG. 1. The image scanner unit 40 intermittently conveys the photographic film F at a predetermined speed in the direction B, and the line sensor 41 reads the image of the photographic film F line by line synchronously with the intermittent conveyance of the photographic film F. The information area 31b is illuminated even when the photographic film F is scanned by the image scanner unit 40. The information, such as the percentage scan completion of the photographic film F, is displayed in the area 31b. The scanned images are stored in a memory 54 (FIG. 4) of the film scanner 10.

(Sawanobori, col. 2, lines 54-67)

When the photographic film F is to be reviewed and

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confirmed prior to scanning, the LCD unit 30 is fully opened, as shown in FIG. 2, and the back-light unit 22 is utilized as a slide projector in the display-illumination area 21b. In the scanning-illumination area 21a, the light of the back-light unit 22 illuminates the photographic film F to be scanned by the image scanner unit 40.

(Sawanobori, col. 3, lines 1-7)

Although these portions of Sawanobori generally discuss scanning and displaying an image, there is no disclosure or suggestion of displaying a portion of the image being scanned when the scanning is taking place as required by claim 38. Accordingly, the Examiner's rejection of claim 38 is in error and should be reversed.

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Argument re Issue B

Claims 41-43, 46-48 and 51-54 stand rejected as being unpatentable over Sawanobori (U.S. 6,486,980) in view of Reelee (U.S. 6,567,190). Appellant respectfully asserts, for at least the reasons advanced below, that claims 41-43, 46-48 and 51-54 are not unpatentable over Sawanobori in view of Reelee.

At the outset, appellant asserts that the instant rejection is improper because there is no suggestion or motivation to combine the references as proposed by the Examiner. "It is insufficient to establish obviousness that the separate elements of the invention existed in the prior art, absent some teaching or suggestion, in the prior art, to combine the elements." *Arkie Lures, Inc. v. Gene Larew Tackle, Inc.*, 119 F.3d 953, 957, 43 USPQ2d 1294, 1297 (Fed. Cir. 1997).

The Examiner states the following regarding the combination of references on page 5 of the final Office action:

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Reelee with Sawanobori.

The suggestion/motivation for doing so would have been to establish wireless connections via the Internet.

(italics added)

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The single sentence italicized above represents the Examiner's only explanation regarding a teaching or suggestion to combine. This sentence, however, is simply an *unsupported statement* made by the Examiner. In order to establish a *prima facie* case, a teaching or suggestion to combine must be found *in the prior art*. See, e.g., *Arkie Lures, Inc. v. Gene Larew Tackle, Inc.*, *supra*. The Examiner has not referred to any prior art in support of the position that a motivation or suggestion to combine exists but, instead, apparently expects the unsupported conclusory statement italicized above to suffice. Such an unsupported statement, however, cannot constitute the evidence required to establish existence of a motivation or suggestion to combine:

Whether the Board relies on an express or an implicit showing [of a motivation, suggestion or teaching to modify the teachings of a reference], it must provide particular findings related thereto.... Broad conclusory statements standing alone are not "evidence".

In re Kotzab, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) (citing *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999))

Accordingly, the Examiner's statement does not constitute a showing of a teaching or suggestion to combine.

For the reasons advanced above, appellant respectfully

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asserts that the 35 U.S.C. §103(a) rejection of claims 41-43, 46-48 and 51-54 is improper. As argued below, claims 41, 46 and 51 are allowable on further independent grounds in that even the (improper, as discussed above) combination of references proposed by the Examiner fails to disclose or suggest all of the features of these claims.

Claims 41, 46 and 51

Appellant's dependent claim 41 is argued below. For purposes of this appeal, dependent claims 46 and 51 stand or fall with claim 41.

Neither Sawanobori, Reece nor any of the other references of record, considered either alone or in proper combination, disclose or suggest the device of claims 1 and 40 and further wherein:

one of said options is for uploading an image to the internet.
(claim 41)

The Examiner states the following on page 4 of the final Office action:

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Sawanobori does not disclose expressly wherein one of said options is for uploading an image to the Internet or downloading via wireless communication and including a removable memory card.

Reele discloses a multifunctional scanner that is able to upload images from the Internet, transmit images to the Internet, and includes a removable memory card device (Fig. 3; Col 4 Lines 33-40).

The Examiner's assertion that Reele discloses transmitting images to the Internet is in error. The Examiner points to col. 4, lines 33-40 of Reele to support the assertion. This portion of Reele is reproduced as follows:

FIG. 3 illustrates the scanning operations in a schematic flow diagram. Images and text may be displayed by scanning as herein described, or by input from the electronic input device, such as the CD, CDR, DVD, "floppy" disk, electronic memory card, or smart card. In addition, modems and communications software can be added to the scanner 100 to allow the operator to view images downloaded from the Internet. The communications software may be of a type

Accordingly, although this portion of Reele does disclose downloading images from the Internet, it does not disclose transmitting images to the Internet as asserted by the Examiner (and as required by claim 41).

Accordingly, even the (improper) combination of references proposed by the Examiner fails to teach all of the limitations of

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appellant's claim 41. A *prima facie* case of obviousness, thus, has not been established.

Claim 46 recites the following:

The system of claim 45 wherein one of said options is for uploading an image to the internet.

Accordingly, claim 45 is allowable for at least the reasons advanced above with respect to claim 41.

Claim 51 recites the following:

The method of claim 37 and further comprising:
uploading said image to the internet.

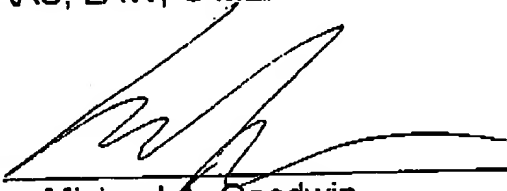
Accordingly, claim 51 is allowable for at least the reasons advanced above with respect to claim 41.

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For the reasons set forth above, appellants respectfully assert that all of the claims are allowable and that, accordingly, all of the rejections should be reversed.

Respectfully submitted,
KLAAS, LAW, O'MEARA & MALKIN, P.C.

By



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VIII CLAIMS APPENDIX

The claims involved in the present appeal are reproduced below. As indicated above, these claims do not incorporate any amendments after final rejection.

1. A device comprising:
a frame;
a lid movably attached to said frame, said lid being movable between a closed position and an open position;
a display mounted to said lid;
a photosensor array movably mounted within said frame;
and
wherein said display is visible when said lid is in said closed position.
2. The device of claim 1 wherein said lid is hingedly attached to said frame.
3. (canceled)
4. The device of claim 1 wherein said device is a digital picture frame device.

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5. The device of claim 1 wherein said photosensor array is a CIS photosensor array.

6. The device of claim 1 wherein said photosensor array is a CCD photosensor array.

Claims 7-28 (canceled)

29. A system comprising:
a frame;
a lid movably attached to said frame, said lid being movable between a closed position and an open position;
a display mounted to said lid;
a photosensor array movably mounted within said frame;
and
an object to be scanned by said photosensor array;
wherein at least a portion of said lid is directly adjacent at least a portion of said object when said lid is in said closed position.

30. (canceled)

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31. The device of claim 29 wherein said photosensor array is a CIS photosensor array.

32. The device of claim 29 wherein said photosensor array is a CCD photosensor array.

33. The device of claim 29 wherein said photosensor array is a two-dimensional photosensor array

34. A method comprising:

providing a device comprising a frame, a photosensor array movably mounted within said frame, a lid movably attached to said frame and a display mounted to said lid, wherein said lid is movable between a closed position and an open position;

moving said lid to said closed position such that at least a portion of said lid is positioned directly adjacent at least a portion of an object; and

scanning said object with said photosensor array while said lid is in said closed position and said at least a portion of said lid is positioned directly adjacent said at least a portion of said object by moving said photosensor array within said frame.

Claims 35-36 (canceled)

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37. The method of claim 34 and further:
wherein said scanning causes an image of said object to be generated; and
displaying at least a portion of said image of said object on said display.

38. The method of claim 37 wherein said displaying at least a portion of said image occurs when said scanning is taking place.

39. The device of claim 1 and further wherein:
an image is displayed on said display when said lid is in said closed position.

40. The device of claim 1 and further wherein:
a menu of options is displayed on said display.

41. The device of claim 40 wherein one of said options is for uploading an image to the internet.

42. The device of claim 40 wherein one of said options is for uploading or downloading an image via wireless

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communication.

43. The device of claim 1 and further comprising:
a removable memory card device.

44. The system of claim 29 and further wherein:
an image is visibly displayed on said display when said lid is
in said closed position.

45. The system of claim 29 and further wherein:
a menu of options is displayed on said display.

46. The system of claim 45 wherein one of said options is
for uploading an image to the internet.

47. The system of claim 45 wherein one of said options is
for uploading or downloading an image via wireless
communication.

48. The system of claim 29 and further comprising:
a removable memory card device.

49. The method of claim 37 and further wherein:
said image is visible when said is in said closed position.

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50. The method of claim 34 and further comprising:
displaying a menu of options on said display.

51. The method of claim 37 and further comprising:
uploading said image to the internet.

52. The method of claim 34 and further comprising:
uploading an image from said device or downloading an
image to said device via wireless communication.

53. The method of claim 34 and further:
wherein said device further comprises a removable memory
card device;
wherein said scanning causes an image of said object to be
generated; and
using said removable memory card device to store said
image on a removable memory card.

54. The method of claim 34 and further:
wherein said scanning causes an image of said object to be
generated; and
using said device to transmit said image to a remote
location.

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IX EVIDENCE APPENDIX

No evidence pursuant to §§ 1.130, 1.131 or 1.132 or entered
by or relied upon by the examiner is being submitted.

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X RELATED PROCEEDINGS APPENDIX

No related proceedings are referenced in II above or copies of decisions in related proceedings are not provided, hence no Appendix is included.

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